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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/332,317

06/14/99

BENNETT

J

P93-00-DD

TM02/0420

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EXAMINER

TRAN, T

ART UNIT

PAPER NUMBER

2161

DATE MAILED:

04/20/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
09/332,317

Applicant(s)  
Bennett et al.

Examiner  
Tongoc Tran

Group Art Unit  
2161



☒ Responsive to communication(s) filed on Feb 12, 2001

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 6-27 is/are pending in the application

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 6-27 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2161

### **DETAILED ACTION**

1. This Office Action is in response to Applicant's response filed on 2/12/2001. Claims 6-27 are pending for this Office Action.

#### ***Response to Remarks***

2. Applicant's remarks with respect to one of the cited reference having a later date of Applicant's claimed priority date have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

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5. Claims 6-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Griggs (U.S. Patent No. 4,435,617) in view of Buchanan et al. (hereinafter Buchanan) (U.S. Patent No. 5,148,366).

Regarding to claim 6, Griggs discloses a transcription system used to convert words spoken during a transcription proceeding to a textual form for real time display, the transcription system comprising:

a transcriber that produces, in real time, transcript text representative of spoken words (see col. 2, lines 14-20, col. 6, lines 19-22);

stores data representative at least one document relating to the transcription proceeding (see Fig. 1, item 36).

Griggs does not explicitly disclose Buchanan discloses the following:

a user input device supporting the selection of the at least one document (see Fig. 1, item 6 and 18).

and a screen that displays text as it is produced and the at least one document for viewing (see Fig. 1, item 10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Griggs's transcription system used to convert words spoken into text and Buchanan's word processing system for data management and word processing purposes.

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Regarding to claim 7, Griggs discloses the transcription system of claim 6 but does not disclose further comprising a processor that responds to the user input device as the transcriber produces the transcript text by associating at least a portion of the transcript text with the at least one document.

However, Buchanan discloses storing text in a multidocument word processor (see Fig. 1, item 6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Griggs' transcription system and Buchanan's word processor to associate portion of Griggs's transcription text with stored document in Buchanan's word processor for data management and word processing purposes.

Regarding to claims 8 and 17, Griggs disclose a transcription system of claim 7 where in the transcript text is stored in data storage (or memory) (see Fig. 1, item 36).

Regarding to claims 9 and 18, the claimed invention contain similar limitation which is discussed in claim 7 and therefore the same rejection applied.

Regarding to claim 10, Griggs discloses a transcription system of claim 6 but does not explicitly discloses the user input device supports creation of an annotation, and further comprising a processor that responds to the user input device by associating the annotation with the at least one document.

However, Official Notice is taken that user input device supports creation of an annotation, and a processor that responds to the user input device by associating the annotation

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with the least one document is old and well known. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include these word processing capability to Griggs' transcription system for processing or storing documents received from the transcription system.

Regarding to claim 11, Griggs discloses a transcription system of claim 6 but does not explicitly discloses wherein the user input device supports real time modification of the selection of the at least one document.

However, Official Notice is taken that real time modification of the selection of at least one document is old and well known in a word processing application. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include word processing feature to Griggs' transcription system for processing documents received from the transcription system.

Regarding to claim 12, Griggs discloses a transcription system of claim 7 further comprising a terminal, and wherein the terminal comprises the processor (see Fig. 1, item 34 and col. 2, lines 40-55).

Regarding to claim 13, Griggs discloses a transcription system used to convert words spoken during a transcription proceeding to a textual form for real time display, the transcription system comprising:

a transcriber that produces, in real time, transcript text representative of spoken words (see col. 2, lines 14-20, col. 6, lines 19-22);

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a communication link (see col. 12, lines 55-56);

a screen (see col. 6, line 52, display);

data storage that stores data representative of at least one document relating to the transcription proceeding (see Fig. 1, item 36);

Grigg does not explicitly disclose:

a processor that receives the transcript text in real time from the transcriber via a communication link; and

the processor, as the transcriber produces the transcript text, directing display on the screen of the transcript text and the at least one document for viewing.

However, Buchanan discloses a processor for receiving text and storing data representative at least one document (see Fig. 1, item 6);

Furthermore, Official Notice is taken that transmitting digital information over a communication link is old and well known. It would have been obvious to one of ordinary skill in the art at the time the invention was made to transmit transcript text of Grigg to the word processor taught by Buchanan via a communication link for data management and word processing purposes.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Griggs's transcription system used to convert words spoken into text with Yamamoto and Buchanan's word processing system for word processing purposes.

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Regarding to claim 14, the claimed invention contains similar limitation already discussed in claim 1 and therefore the same rejection applied.

Regarding to claims 15 and 16, the claimed invention contains similar limitation of claim 7 and therefore the same rejection applied.

Regarding to claim 19, the claimed invention is similar to the limitation of claim 10 and therefore the same rejection applied.

Regarding to claim 20, the claimed invention is similar to the limitation of claim 11 and therefore the same rejection applied.

Regarding to claim 21, the claimed invention is similar to the limitation of claim 12 and therefore the same rejection applied.

Regarding to claim 22, Griggs discloses a method that transcribes spoken words into text and display the transcript text on the screen for real time viewing, the method utilizing at least a screen, data storage, and a user input device (see col. 2, lines 11-21).

displaying the transcript text on the screen for real time viewing (see Fig. 1, item 36);

Griggs does not explicitly discloses said method comprises:

converting, using the stenographic system, representations of spoken words to transcript text in real time;

However, Official Notice is taken that converting, using the stenographic system, representations of spoken words to transcript text in real time is old and well known. It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply



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Grigg's transcription system using a stenographic system to convert spoken words to transcript text in real time for the benefit of the widely used of stenographic system in the court.

Griggs does not explicitly disclose accepting, via the user input device, at least one input selecting a first document stored in data storage; and  
display on the screen the document.

However, Buchanan discloses accepting, via the user input device, at least one input selecting a first document stored in data storage and displaying document information on the screen (see Fig. 5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Griggs's transcription system used to convert words spoken into text with Buchanan's word processing system for word processing purposes.

Regarding to claim 23, the claimed invention contains the similar limitation of claim 15 and therefore the same rejection applied.

Regarding to claim 24, the claimed invention contains the similar limitation of claim 22 and therefore the same rejection applied.

Regarding to claim 25, the claimed invention contains the similar limitation of claim 15 and therefore the same rejection applied.

Regarding to claims 26 and 27, the claimed invention contains the similar limitations already discussed in claim 22 and 23..

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*Conclusion*

6. Claims 6-27 are rejected.
7. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 305-9051, (for formal communications intended for entry)

**Or:**

(703) 305-0040, (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021  
Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tongoc Tran, whose telephone number is (703) 305-8967 and whose e-mail address is Tongoc.Tran@uspto.gov. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell, can be reached at (703) 305-9768. The fax phone number for this Art Unit is (703) 305-0040.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

TT  
10Apr01



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